

**IN THE CLAIMS:**

1. (Currently Amended) For use with a portable cell phone, a proximity regulation system, comprising:

a location sensing subsystem configured to determine a location of said portable cell phone with respect to a portion of a body of ~~proximate~~ a user; and

a power governing subsystem, coupled to said location sensing subsystem, configured to determine a proximity transmit power level of said portable cell phone based on said location.

2. (Currently Amended) The proximity regulation system as recited in Claim 1 wherein said proximity transmit power level is reduced to one level when said location is within a vicinity of a user's head and reduced to a second level when said location is within a vicinity of a user's midsection.

3. (Original) The proximity regulation system as recited in Claim 1 wherein said proximity transmit power level is limited to a predetermined maximum level.

4. (Original) The proximity regulation system as recited in Claim 1 wherein said proximity transmit power level is maximum when said portable cell phone is operating in a headset operation mode or data transfer operation mode.

5. (Original) The proximity regulation system as recited in Claim 1 wherein said portable cell phone is located on a belt-clip of said user.

6. (Original) The proximity regulation system as recited in Claim 1 wherein said location sensing subsystem or said power governing subsystem is embodied in an integrated circuit.

7. (Original) The proximity regulation system as recited in Claim 1 wherein said location sensing subsystem or said power governing subsystem is embodied in a sequence of operating instructions.

8. (Original) The proximity regulation system as recited in Claim 1 wherein said location sensing subsystem determines said location by employing a sensor selected from the group consisting of:

- a designated sensor,
- a contact sensor,
- a belt clip sensor, and
- a cradle sensor.

9. (Original) The proximity regulation system as recited in Claim 1 wherein said location sensing subsystem determines said location by ascertaining a mode of operation of said portable cell phone.

10. (Currently Amended) A method of operating a portable cell phone, comprising:  
determining a location of said portable cell phone with respect to a portion of a body of proximate a user;  
providing a control signal based on said location; and  
determining a proximity transmit power level of said portable cell phone based on said control signal.

11. (Currently Amended) The method as recited in Claim 10 wherein said proximity transmit power level is reduced to one level when said location is within a vicinity of a user's head and reduced to a second level when said location is within a vicinity of a user's midsection.

12. (Original) The method as recited in Claim 10 wherein said proximity transmit power level is limited to a predetermined maximum level.

13. (Original) The method as recited in Claim 10 wherein said proximity transmit power level is maximum when said portable cell phone is operating in a headset operation mode or data transfer operation mode.

14. (Original) The method as recited in Claim 10 wherein said portable cell phone is located on a belt-clip of said user.

15. (Original) The method as recited in Claim 10 wherein said determining said location is performed by a location sensing subsystem embodied in an integrated circuit.

16. (Original) The method as recited in Claim 10 wherein said determining a proximity transmit power level is performed by a power governing subsystem embodied in a sequence of operating instructions.

17. (Original) The method as recited in Claim 10 wherein said determining a location employs a sensor selected from the group consisting of:

a designated sensor,

a contact sensor,

a belt clip sensor, and

a cradle sensor.

18. (Original) The method as recited in Claim 10 wherein said determining a location is performed by ascertaining a mode of operation of said portable cell phone.

19. (Currently Amended) A portable cell phone, comprising:

a power circuit that provides a network adjusted transmit power level as a function of a position to a communications tower; and

a proximity regulation system, including:

a location sensing subsystem that determines a location of said portable cell phone proximate a user; and

a power governing subsystem, coupled to said location sensing subsystem, that determines a proximity transmit power level of said portable cell phone based on said location and determines a transmit power level for said portable cell phone based on said network adjusted transmit power level and said proximity transmit power level.

20. (Currently Amended) The portable cell phone as recited in Claim 19 wherein said location sensing subsystem determines said location with respect to a portion of a body of said user ~~proximity transmit power level is reduced when said location is within a vicinity of a user's head.~~

21. (Original) The portable cell phone as recited in Claim 19 wherein said proximity transmit power level is limited to a predetermined maximum level.

22. (Original) The portable cell phone as recited in Claim 19 wherein said proximity transmit power level is maximum when said portable cell phone is operating in a headset operation mode or data transfer operation mode.

23. (Original) The portable cell phone as recited in Claim 19 wherein said portable cell phone is located on a belt-clip of said user.

24. (Original) The portable cell phone as recited in Claim 19 wherein said location sensing subsystem or said power governing subsystem is embodied in an integrated circuit.

25. (Currently Amended) The portable cell phone as recited in Claim 19 wherein said proximity transmit power level is reduced to one level when said location is within a vicinity of a user's head and reduced to a second level when said location is within a vicinity of a user's midsection ~~location sensing subsystem or said power governing subsystem is embodied in a sequence of operating instructions.~~

26. (Original) The portable cell phone as recited in Claim 19 wherein said location sensing subsystem determines said location by employing a sensor selected from the group consisting of:

- a designated sensor,
- a contact sensor,
- a belt clip sensor, and
- a cradle sensor.

27. (Original) The portable cell phone as recited in Claim 19 wherein said location sensing subsystem determines said location by ascertaining a mode of operation of said portable cell phone.